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RUEAWJB/DEPT OF JUSTICE WASHDC PRIORITY
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SUBJECT: JORDAN'S SIXTH ANNUAL TRAFFICKING IN PERSONS REPORT

REF: STATE 3836

¶1. (U) Embassy point of contact on trafficking in persons is political officer Jonathan Peccia (grade 4), phone number 202-536-4173, ext. 6597 or 962-6-590-6597, fax number 962-6-592-0159. Officer spent approximately 40 hours preparing the report. Pol FSN spent 16 hours preparing the report.

¶2. (U) The following responses reference the questions from the TIP report preparation cable by paragraph. This information is sensitive and should be handled accordingly.

Checklist

¶3. (SBU) (21/A) Jordan is a country of destination for women from South Asia and South East Asia, primarily Sri Lanka, Indonesia, the Philippines, for the purpose of labor exploitation. Eastern European women enter Jordan for illicit purposes, but there is no evidence of coercion, force, or fraud. There are 50,000 foreign domestic workers (FDWs) estimated to be working in Jordan, though only 34,000 are registered. The Philippine embassy reports 15,000 Filipino workers, and in 2005 it received 1000 complaints of abuse. The source country embassies refer few of these cases to the Jordanian authorities. In 2005, Jordanian police closed 16 cases of sexual abuse against FDWs, and only 47 other FDWs filed complaints with the police for offenses ranging from slander to theft to battery. No reliable system is in place to track all reported abuses, though the Ministry of Labor is launching in 2006 a dedicated, stand-alone office to control and monitor all FDW issues, including reports of abuse.

¶4. (SBU) (21/A) Jordan may also be a destination country for men from South Asia and South East Asia for the purposes of labor exploitation. These men work primarily in factories, and may be subject to abuses such as extended and forced working hours, unpaid wages, and withholding of passports.

¶5. (SBU) (21/A) Jordan, to a much lesser degree, may

be a transit destination both for trafficked women from South and South East Asia, and for men from South and South East Asia. The women would transit Jordan en route to other Middle East countries, such as Syria and Egypt, for the purpose of labor exploitation. No Jordanians appear to be complicit in the trafficking of these women. They would possess valid transit visas, and would only enter Jordan's airports due to the routing of flights from the source to the destination countries. The men, on the other hand, may be brought to Jordan with the promise of employment within the country, only to be trucked overland into Iraq. In 2005, the Ministry of Labor and Ministry of the Interior issued a circular to all border points prohibiting foreign workers from transiting unless their sponsor accompanies them. Reportedly, Jordanian middlemen are operating as sponsors to bypass this proclamation. Post cannot estimate the extent of this practice. Please see paragraph 19 for more information on transit visa regulations.

¶6. (SBU) (21/B) Last year, Jordan was placed in the "Special Case" category because full and accurate data on the extent and magnitude of its trafficking problem was not available. This year, that remains true to a large extent, though the Government of Jordan has made efforts to examine the problem and to come up with solutions. Trafficking in Jordan is almost exclusively for the purpose of labor exploitation, and is primarily limited to FDWs coming from South and South East Asia. The exploitation begins with the recruiting agencies in the source countries, but continues to the receiving agencies in Jordan and on to the Jordanian employers. The FDWs can find themselves in conditions that include: extended and forced working hours, unpaid wages, restrictions on freedom of movement including the withholding of passports and residency permits, and verbal, physical, and sexual abuse and assault. These abuses occur with greater frequency when related to wage and working hour issues, and with much less frequency when related to physical or sexual abuse. A common pattern that often renders FDWs susceptible to abuse begins when a source country recruiting agency drafts the FDW's resume and exaggerates her qualifications. When she arrives in Jordan, the receiving agency is faced with the choice of repatriating the FDW - at a loss to the company - or hiring her out to Jordanian employers who expect a higher caliber worker. When the employer complains and demands that the agency take the FDW back, the agency will simply find another unsuspecting employer. It is not uncommon for a worker to be shuffled from household to household in this manner. Even if she does not experience the more serious abuses listed, she will still likely be unpaid until an employer agrees to accept her - a process that can take months.

¶7. (SBU) (21.B) Before 2003, there were no officially licensed recruiting agencies in Jordan; the Ministry of the Interior was responsible for every facet of monitoring the importation of labor. In 2003, the Ministry of Labor gained the authority to monitor the recruitment process. Recruiting agencies must have a license to operate, and the agencies assumed many of the responsibilities that used to fall to individual employers. This enables the GoJ to better monitor situation.

¶8. (SBU) (21/C) The GoJ faces severe monetary constraints on its ability to monitor anti-trafficking efforts. Additionally, Jordan's traditional society tends to promote a culture of silence and discretion with regard to matters of the home. Furthermore, the most egregious of the abuses FDWs suffer - physical and sexual assault - are

crimes that victims fail to report more than 50% of the time worldwide. Factors such as language and cultural barriers also sometimes deter the reporting of abuse.

¶9. (SBU) (21/C) Information-sharing between the source country embassies and the GoJ is poor. According to the GoJ, though the embassies allege large numbers of complaints from their FDW nationals, the embassies have not requested help from the GoJ or from the Recruiting Agencies Association, nor have they submitted any documentary evidence of the allegations.

¶10. (SBU) (21/D) The GoJ has a well-developed police and court system. Prosecutions, when they occur, are easy to monitor. The steering committee driving anti-trafficking efforts brings together several ministries (Labor, Interior, Foreign Affairs, Justice), source country embassies, and members of the NGO community and the Recruiting Agencies Association. Through this committee, the GoJ can monitor anti-trafficking efforts.

Prevention

¶11. (SBU) (22/A) The GoJ does acknowledge that trafficking is a problem in Jordan. Jordan is mainly a destination country, and many within Jordanian society see the problems FDWs suffer as family matters rather than as a systemic trafficking issue. Withheld salaries are hard to prove in this cash society. FDWs being held against their will consequently have no means to report their conditions. All things sexual are taboo in Jordan; so accurate reporting of both sexual assaults and prostitution is hard to come by.

¶12. (SBU) (22/A) The GoJ also contends that source countries and their embassies share responsibility for the problem.

¶13. (SBU) (22/B) The Ministry of Labor, Ministry of the Interior, and Ministry of Foreign Affairs are all involved in anti-trafficking efforts. The three are part of the steering committee to combat trafficking, led by the Ministry of Foreign Affairs. However, most of the initiatives come from the Ministry of Labor.

¶14. (SBU) (22/C) There have not been public government-run anti-trafficking information or education campaigns. At this stage, the government is still learning, but does actively participate and patronize NGO-organized campaigns. The government did, with help from UNIFEM, produce a booklet for distribution to all FDWs explaining their rights. But as of the time of this report, only a few copies of the booklet had been distributed.

¶15. (SBU) (22/D) The GoJ supports other efforts to combat trafficking, as well as initiatives which, while not aimed directly at trafficking, tend to place sympathetic advocates in positions of influence, such as the quotas that boost women's participation in both houses of parliament. The GoJ also is pursuing several initiatives to offer better support and greater transparency for the FDW community. It recently signed a memorandum of understanding (MOU) with Sri Lanka to streamline the process by which Sri Lankan workers (approximately 35,000 including factory workers and FDWs) gain employment in Jordan, and to guarantee their rights. Jordan has also signed MOUs with Indonesia and the Philippines. Already the GoJ has endorsed a standard FDW contract that must be signed by the recruiting

agency, the employer, and the employee. The GoJ is in the final stages of publishing an FDW guidebook that the recruiting agencies will be required to distribute to all FDWs upon their arrival in Jordan. The GoJ printed the booklet in Arabic and English, and is now attempting to get the source country embassies to take responsibility to print them in the source country languages. The booklets enumerate the worker's rights and offer hotline numbers that abused workers can call in the event of abuse. Additionally, the Ministry of Labor plans to launch in spring 2006 an inter-agency office that will be solely dedicated to FDW issues, from checking residency and work permits, to arbitrating salary disputes, to receiving complaints of abuse.

¶16. (SBU) (22/E) The relationship between government officials, NGOs, other relevant organizations and other elements of civil society on trafficking is good on the working level, but still sometimes antagonistic. The NGOs remain skeptical that the GoJ is capable of solving the problems that exist. They believe that most GoJ working-level officials remain indifferent to trafficking and FDW abuse, and therefore that the ministers are still insulated from the true magnitude of the problem. Conversely, the GoJ believes it has a firm grasp on the issue and that the NGO community is overstating the problem. However, the GoJ, NGOs, and civil society manage to come together for conferences to raise awareness and attempt to build consensus and capacity to work on the trafficking problem jointly. The steering committee is a leading example of this cooperation.

¶17. (SBU) (22/E) The cooperation between these parties has already paid dividends. It was responsible for the 2003 amendment of the labor law, allowing the Ministry of Labor to supervise the recruitment of FDWs and the licensing of recruiting agencies. It also resulted in the uniform employment contract for FDWs.

¶18. (SBU) (22/F) The GoJ does control and monitor immigration patterns, but this is done more for security purposes than to combat trafficking. The GoJ has identified training of the police and other security personnel who serve as border inspectors as an area of assistance they are interested in pursuing, and the Deputy Chief of Immigration at Jordan's Queen Alia International Airport will be attending the April - May 2006 Trafficking in Persons International Visitor Program sponsored by the USG. It is clear that more probing interviews at the airport would identify potential victims of labor exploitation.

¶19. (SBU) (22/F) The GOJ requires that nationals of most migrant worker source countries may enter Jordan only after approval from the Ministry of the Interior. Jordanian embassies in those countries also do not issue visas without MoI approval, and each case is individually evaluated. Nationals of these "restricted" countries cannot obtain transit visas for Jordan unless they possess a visa for the destination country. Even then, they may not enter Jordan for the purpose of transiting to neighboring countries. Tourist visas for groups of nationals of restricted countries are not issued except through accredited Jordanian tourist offices. All foreigners coming to work in Jordan need prior approval from the Ministry of Labor, and receive that approval only after the work permit is paid.

¶20. (SBU) (22/G) There is a multilateral steering committee. The committee is comprised of representatives from the Ministries of Labor, Interior, and Foreign Affairs, source country embassies, NGOs (UNIFEM), and the recruiting agencies

in Jordan. The government does have a group dedicated to examining corruption, which falls under the General Intelligence Directorate (GID).

¶21. (SBU) (22/H) No national plan of action to address trafficking exists as a unified, comprehensive document, though various initiatives on different fronts are all underway, as explained above. The steering committee is working on a comprehensive national plan. It includes: amending labor legislation relating to domestic workers, their sponsors, recruiting agencies, and legal measures against violators; finding a mechanism to train a larger number of judicial/police officers; developing a mechanism to streamline the process of receiving complaints from FDWs; setting up a database to gather and register all data on FDWs; and raising awareness on the rights of FDWs.

Investigation and Prosecution of Traffickers

¶22. (SBU) (23/A) Jordanian law prohibits trafficking in children. There are also anti-slavery laws and other legislation that can be invoked to prosecute and punish trafficking and related crimes. Any person who, for purposes of financial gain, bribes, encourages, or entices another to come to or depart Jordan can be prosecuted under the 1929 Abolition of Slavery law. It provides for the following punishments:

- Kidnapping of domestic workers: minimum three years imprisonment
- Sexual exploitation of domestic workers: not less than three months
- Sexual molestation of domestic workers: not less than three months
- Any attempt to force domestic workers into prostitution: not less than three months
- Any intentional or unintentional physical abuse of domestic workers: not less than three months

The law also punishes employers who withhold passports with the intent of compelling an FDW to work in violation of the terms of the contract.

¶23. (SBU) (23/B) There is no law that specifically addresses traffickers of people for sexual or labor exploitation. This falls under the slavery law explained in paragraph 22.

¶24. (SBU) (23/C) Jordanian law provides for the death penalty for the rape of a girl less than 15 years of age. The penalty for rape of a girl or woman 15 years of age and older is 3 to 5 years imprisonment.

¶25. (SBU) (23/D) Prostitution is illegal. All involved parties - prostitute, brothel owner, client, and procurer - are subject to prosecution for engaging in or supporting prostitution. The Jordanian national police force - the Public Security Directorate (PSD) - informed the Embassy that there are no statistics available on arrests linked to prostitution during the year.

¶26. (SBU) (23/E) According to the PSD, the government did not charge anyone with any crime related to trafficking during the year. Eight recruiting agencies were issued warnings for various violations, and another eight were closed. As of the time of this report, five of those eight have reopened following mandatory six-month closures. Three remained closed. The recruiting agencies organized as a result of a 2003 amendment to the labor law. Agencies must front a \$70,500 guarantee that they will conduct their work in accordance with the law.

¶27. (SBU) (23/E) The Ministry of Labor received 250 complaints against licensed recruiting agencies, mainly from employers unsatisfied with the condition of the imported worker. The Ministry worked 200 of these complaints to conclusion; another 50 were referred to courts.

¶28. (SBU) (23/E) In addition to the 16 sexual assault cases that the Family Protection Department of the national police closed during the year, another 19 were reported. Authorities were still investigating three of these, while the court system was adjudicating 16 others. Eight rape cases were similarly at various stages of disposition at the time of the report.

¶29. (SBU) (23/F) There is no evidence, anecdotal or otherwise, that there are organized crime syndicates trafficking people to or from Jordan. Rather, the 'traffickers' are individual recruiting agencies that do not uphold migrant workers' contracts, and employers who subject their workers to slave-like conditions.

¶30. (SBU) (23/G) The GoJ does actively investigate cases of labor exploitation that come to its attention. Unfortunately, many of the exploited FDWs do not feel comfortable turning to Jordanian authorities, and instead report the abuses to their embassies. It is not clear that the embassies subsequently turn to the GoJ in any of these cases. The GoJ does not use electronic surveillance, undercover operations, or plea deals to actively investigate cases. The GoJ, through the Ministry of Labor, routinely inspects recruiting agencies to ensure compliance with the law.

¶31. (SBU) (23/G) Physical and sexual assault victims who do turn to the Jordanian authorities are referred to a special department within the PSD, the Family Protection Department (FPD). Contacts in the GoJ tell us that 25% of FDW rape cases are dropped after the FDW changes her story to say that the sex was consensual. While adultery is illegal, the law requires a complainant in order to file charges. The amounts of shame and attention to which this would expose a family are considerable. As a result, it is unusual for a complainant (typically the wife of the adulterer) to press charges. Additionally, both partners in the adulterous act must be charged, according to the law. The implication is that rape victims might be subject to payoffs or threats in order to convince them to change their stories and admit to a consensual, adulterous relationship. The authorities have no grounds to pursue a rape case once the victim states that the sex was consensual.

¶32. (SBU) (23/G) The FPD dealt with 16 cases of sexual abuse against FDWs during 2005. The victims were Sri Lankan, Indonesian, and Filipino.

¶33. (SBU) (23/H) The FPD is highly trained and equipped to handle allegations of criminal physical and sexual assault. The FPD has specialists in forensics and counselors on hand, and employs state of the art interviewing equipment to ensure transparency in investigations. Eight Jordanian police officers participated in anti-trafficking courses and symposiums in Greece, Turkey, and Sweden during 2005. Domestically, 90 officers trained at the Royal Police Academy on combating smuggling persons; 60 officers trained in identifying physical/sexual abuse; and 20 officers trained specifically in anti-trafficking efforts.

¶34. (SBU) (23/I) No cooperation with other governments in the investigation and prosecution of

trafficking cases was reported. The MOUs with the source countries should allow the GoJ to coordinate with those governments.

¶35. (SBU) (23/J) Jordan does not have an extradition treaty with the Philippines, Sri Lanka, Indonesia, or Nepal.

¶36. (SBU) (23/K) No evidence exists of government involvement in, or tolerance of trafficking.

¶37. (SBU) (23/L) Not applicable.

¶38. (SBU) (23/M) Not applicable.

¶39. (SBU) (23/N) ILO 182 - ratification 4/20/2000; ILO 29 - ratification 6/6/1966; ILO 105 - ratification 3/31/1958; Optional Protocol to the CRC - ratification 9/6/2000.

¶40. (SBU) (23/N) Jordan has authorized its permanent envoy to the United Nations to submit the documents necessary to sign the Protocol to Prevent, Suppress, and Punish Trafficking in Persons.

Protection and Assistance to Victims

¶41. (SBU) (24/A) The GoJ currently does not have a shelter established to house victims. Some women may be imprisoned due to charges of theft or adultery. Others have sought shelter from their embassies. Employers are required to purchase health and life insurance for foreign workers.

¶42. (SBU) (24/B) The GoJ provides operational expenses for the National Centre for Human Rights, and has offered non-financial support to NGOs such as UNIFEM and the International Office for Migration (IOM), both of which are pursuing programming to prevent trafficking and to support victims.

¶43. (SBU) (24/C) No such process exists.

¶44. (SBU) (24/D) As a matter of law, victims' rights are respected. The Family Protection Department operates very professionally. The same may not be true of local police stations, which are rumored to treat foreign workers harshly. Often an employer will accuse an FDW of theft if the FDW approaches authorities to protest salary withholdings. If charges are filed against an FDW, she will be arrested and detained. If an FDW does not have a residency permit, she will be fined \$2.12 for each day that she is out of status. In many cases this fine accumulates into an amount that FDWs are incapable of paying, effectively preventing many from leaving Jordan.

¶45. (SBU) (24/E) Potential witnesses in a court case are not permitted to leave Jordan. Victims can bring civil suits against employers under civil law, not the labor law. If the suit is under \$4230, the plaintiff does not need to retain a lawyer. For suits greater than \$4230, the plaintiff must have a lawyer.

¶46. (SBU) (24/F) The government may put sexual assault victims in protective custody in correctional facilities.

¶47. (SBU) (24/G) The Family Protection Department is the only government facility that handles the crimes associated with Jordan's trafficking problems, and as mentioned above, they are highly trained. The Ministry of Labor receives weekly training from IOM on a breadth of labor issues, including ILO standards

that cover trafficking. The Deputy Chief of Immigration at Jordan's Queen Alia International Airport will attend the Trafficking in Persons International Visitor Program sponsored by the USG.

¶48. (SBU) (24/H) Not applicable.

¶49. (SBU) (24/I) UNIFEM works closely with the GoJ and with local NGOs on women's rights issues, specifically FDWs. UNIFEM guided the process to standardize the FDW work contract and to produce the FDW guidebook. IOM's Jordan office is engaged in weekly training seminars at the Ministry of Labor. IOM also is attempting to raise funds to repatriate FDWs stranded in Jordan due to an inability to pay their overstay fines. The GoJ has agreed to waive the fines if IOM can fund the travel.

TIP Heroes

¶50. (SBU) (25) Dr. Manal Mazahreh from the Human Rights Directorate of the Ministry of Foreign Affairs heads Jordan's trafficking in persons steering committee. This requires Dr. Mazahreh to coordinate heavily with other ministries, NGOs, source country embassies, and recruiting agencies. Additionally, Dr. Mazahreh is leading the committee into uncharted territory as the GoJ begins to use a different approach to address the trafficking problem in Jordan. She returned no name check hits.
RUBINSTEIN